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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,442	03/26/2004	Atsuhisa Nakashima	119265	8129
25944	7590	05/16/2007		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER MRUK, GEOFFREY S	
			ART UNIT 2853	PAPER NUMBER
			MAIL DATE 05/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/809,442	NAKASHIMA, ATSUHISA	
	Examiner	Art Unit	
	Geoffrey Mruk	2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor et al. (US 5,980,018).

With respect to claim 1, Taylor discloses a printer maintenance apparatus (Fig. 1, element 45) for maintaining a printer (Fig. 1, element 20) having a print head (Fig. 1, elements 50, 52), wherein the print head includes a nozzle surface in which a plurality of nozzles are formed, for ejecting ink droplets onto said printing medium for printing (Column 1, lines 19-24), the apparatus comprising:

- a mounting base (Fig. 3, element 46) that is movable forward and backward (Fig. 3, element 66) between a maintenance position and a retraction position, the maintenance position in which the mounting base is opposed to the nozzle surface and the retraction position which the mounting base retracted from the print head (Column 14, lines 39-57);
- a wiping mechanism (Fig. 4, element 124) being mounted on the mounting base (Fig. 3, element 46) and including a wiper base (Fig. 4, element 190) supported on the mounting base movably toward the nozzle surface and a wiper (Fig. 4, element 150) attached to the wiper base; and

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- a capping mechanism (Fig. 4, element 200) being mounted on the mounting base (Fig. 3, element 46) and including a cap base (Fig. 4, element 202) supported on the mounting base movably toward the nozzle surface and a cap (Fig. 4, element 210) attached to the cap base;
- wherein the cap base moves toward the nozzle surface to move the cap to cover the nozzle surface when the mounting base is at the maintenance position (Column 15, lines 17-34);
- the cap base moves retractably from the nozzle surface when the mounting base moves from the maintenance position toward the retraction position (Fig. 4, element 66);
- the wiper base moves toward the nozzle surface to bring the wiper into contact with the nozzle surface when the mounting base is at the maintenance position (Column 14, lines 39-47); and
- the wiper base keeps the wiper in contact with the nozzle face while the mounting base moves backward from the maintenance position toward the retraction position (Column 10, lines 31-33; Fig. 4, element 66).

With respect to claim 2, Taylor discloses the cap base (Fig. 4, element 202) has an engagement portion (Fig. 4, elements 204, 206) which abuts against a fixed portion (Fig. 4, element 40) disposed in the printer, at a forward end of the maintenance position due to a forward motion of the mounting base to the maintenance position, to thereby move the cap base toward the nozzle surface and cover the nozzle surface with the cap (Column 15, lines 17-24).

With respect to claim 3, Taylor discloses the wiper base (Fig. 4, element 190) abuts against a fixed portion which abuts against a fixed portion disposed in the printer, at the maintenance portion due to a forward motion of the mounting base (Fig. 4, elements 194, 198) to the maintenance position, to thereby move the wiper toward the nozzle surface and bring the wiper into contact with the nozzle surface (Column 15, lines 5-16).

With respect to claim 4, Taylor discloses the capping mechanism includes a plurality of link members (Fig. 4, elements 128) each supported swingably at one end on the mounting base and supported swingably at the other end on the cap base (Column 11, lines 30-53).

With respect to claim 5, Taylor discloses the capping mechanism (Fig. 2, element 69) includes a cam groove (Fig. 2, element 86) inclined to the nozzle surface and a pin slidable in the cam groove, and one of the cam groove and the pin is provided in the mounting base (Fig. 2, element 62) while the other is provided in the cap base (Fig. 2, element 85; Column 10, lines 1-12).

With respect to claim 6, Taylor discloses the capping mechanism (Fig. 4, element 20) allows the cap to leave the nozzle surface due to self-weight of the cap base in backward motion of the mounting base from the maintenance position to the retraction position (Column 10, lines 11-13, i.e. weight of element 85).

With respect to claim 7, Taylor discloses the capping mechanism includes an urging member that urges the cap to leave the nozzle surface (Fig. 2, element 90; Column 10, lines 11-13).

With respect to claim 8, Taylor discloses

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- the wiping mechanism (Fig. 4, element 124) supports the wiper base swingably (Fig. 4, elements 114, 115) on the mounting base (Fig. 4, element 190); and
- the wiping mechanism includes an urging member (Fig. 3, 105) that swings the wiper base to bring the wiper into contact with the nozzle surface (Column 11, lines 18-29).

With respect to claim 9, Taylor discloses

- the wiping mechanism (Fig. 4, element 124) includes a lever (Fig. 4, element 118) supported swingably (Fig. 4, elements 114, 115) on the mounting base (Fig. 4, element 190);
- the lever is swingable between a separation position and a wiping position, the separation position where the lever abuts against the wiper base to thereby swing the wiper base against urging of the urging member and make the wiper leave the nozzle surface, the wiping position where the lever brings the wiper into contact with the nozzle surface (Column 10, lines 28-41); and
- the lever (Fig. 10, element 118) is swung to the wiping position at a forward end due to a forward motion of the mounting base to the maintenance position (Column 11, lines 41-53) .

With respect to claim 10, Taylor discloses the wiping mechanism (Fig. 4, element 124) swings the lever (Fig. 4, element 118) to the separation position at a backward end due to a backward motion of the mounting base.

With respect to claim 11, Taylor discloses

- the wiping mechanism (Fig. 4, element 124) supports the wiper base (Fig. 4, element 190) shiftably (Fig. 4, element 115) on the mounting base (Fig. 4, element 46);
- the wiping mechanism includes an urging member (Fig. 3, 105) that urges the wiper base to leave the nozzle surface;
- the wiping mechanism brings the wiper into contact with the nozzle surface due to a forward motion (Fig. 4, element 66) of the mounting base to the maintenance position; and
- the wiping mechanism shifts the wiper base by means of the urging member so as to make the wiper leave the nozzle surface (Column 14, lines 39-57).

With respect to claim 12, Taylor discloses a printer (Fig. 1, element 20) comprising:

- a print head (Fig. 1, elements 52, 56) including a nozzle surface that ejects ink droplets onto fed printing medium (Column 1, lines 19-24);
- a mounting base (Fig. 3, element 46) that movable forward and backward (Fig. 3, element 66) between a maintenance position and a retraction position, the maintenance position in which the mounting base is opposed to the nozzle surface and the retraction position in which the mounting base is retracted from the print head (Column 14, lines 39-57);
- a wiping mechanism (Fig. 4, element 124) being mounted on the mounting base (Fig. 3, element 46) and including a wiper base (Fig. 4, element 190) supported on the mounting base movably toward the nozzle surface and a wiper (Fig. 4, element 1500 attached to the wiper base; and

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- a capping mechanism (Fig. 4, element 200) being mounted on the mounting ((fig. 3, element 46) base and including a cap base (Fig. 4, element 202) supported on the mounting base movably toward the nozzle surface and a cap (Fig. 4, element 210) attached to the cap base;
- wherein the cap base moves toward the nozzle surface to move the cap to cover the nozzle surface when the mounting base is at the maintenance position (Column 15, lines 17-34);
- the cap base moves retractably from the nozzle surface when the mounting base moves from the maintenance position toward the retraction position (Fig. 4, element 66);
- the wiper base moves toward the nozzle surface to bring the wiper into contact with the nozzle surface when the mounting base is at the maintenance position (Column 14, lines 39-47); and
- the wiper base keeps the wiper in contact with the nozzle surface while the mounting base moves backward from the maintenance position toward the retraction position (Column 10, lines 31-33; Fig. 4, element 66).

With respect to claim 13, Taylor discloses the cap base (Fig. 4, element 202) has an engagement portion (Fig. 4, elements 204, 206) which abuts against the fixed portion (Fig. 4, element 40) at a forward end of the maintenance position due to a forward motion of the mounting base to the maintenance position, to thereby move the cap base toward the nozzle surface and cover the nozzle surface with the cap (Column 15, lines 17-24).

With respect to claim 14, Taylor discloses wherein the fixed portion (Fig. 4, element 40) is a lock portion that is disposed at the print head (Fig. 6, elements 50, 52).

Response to Arguments

Applicant's arguments filed 12 February 2007 have been fully considered but they are not persuasive. The applicant's argument that "Because Taylor fails to disclose 'a wiping mechanism being mounted on the mounting base and including a wiper base supported on the mounting base movably toward the nozzle surface and a wiper attached to the wiper base,' or 'the wiper base moves toward the nozzle surface to bring the wiper into contact with the nozzle surface when the mounting base is at the maintenance position,' claims 1 and 12 are patentable over Taylor." As stated in the final rejection Taylor discloses "The service station pallet 120 also includes a Z axis alignment datum 146, such as the upwardly extending Z axis datum post 146. During initial assembly, a probe can be located on the upper surface of the datum 146, and the rear end of the service station base 102 may be raised or lowered as desired by engaging the Z axis alignment posts 104" (Column 12, lines 48-52) and "Preferably, the wiper mount 190 (with wipers and flaps already formed thereon) and the capping assembly 200 are first installed on the pallet 120, so the entire assembled pallet may be installed into the frame base 102 as a unit" (Column 20, lines 22-25). Thus, Taylor meets the claimed limitations. Also, applicant is reminded that during patent examination, the pending claims must be "given their broadest reasonable interpretation consistent with the specification" (MPEP 2111).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

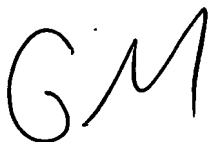
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey Mruk whose telephone number is (571) 272-2810. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GSM
5/8/2007



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